

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MONTY C. PEPPER,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil Action No. 05-84-JJF
	:	
WARDEN THOMAS CARROLL, C/O	:	
BAMBI THOMAS, C/O JAMES	:	
GARDELS, C/O THOMAS SEACORD,	:	
	:	
Defendants.	:	

ORDER

WHEREAS, after State Defendants filed their Motion To Dismiss/Summary Judgment Pursuant to Rule 12(b)(6) Of The Federal Rules Of Civil Procedure (D.I. 33), Plaintiff filed a Motion To Amend (D.I. 49);

WHEREAS, this is Plaintiff's second motion to amend;

WHEREAS, a party may amend its pleading once as a matter of course; any subsequent amendment may only be had by leave of court or by consent of the adverse party, Fed. R. Civ. P. 15(a);

WHEREAS, Plaintiff's amendment would add an entirely new claim to Plaintiff's Complaint;

WHEREAS, the Court granted State Defendants' Motion To Dismiss/Summary Judgment Pursuant to Rule 12(b)(6) Of The Federal Rules Of Civil Procedure (D.I. 33);

NOW THEREFORE, IT IS HEREBY ORDERED that:

1. Plaintiff's Motion To Amend (D.I. 49) is DENIED.
2. The case, 05-84-JJF, is CLOSED.

March 22, 2006


UNITED STATES DISTRICT JUDGE